

REMARKS / DISCUSSION OF ISSUES

Claims 4-7, 12, and 16-21 are pending in the application.

The Office action fails to identify a status of claim 16, other than its inclusion on the Office action summary as being a rejected claim. The Office action provides no basis for this asserted rejection of claim 16, upon which claims 17-21 depend. Claim 16 includes limitations similar to claim 4. If this response does not result in the allowance of all claims, the applicants respectfully maintain that the next Office action must be non-final in order that the client is provided an opportunity to amend the claims, if necessary.

The Office action rejects claims 4-6, 12, and 19-21 under 35 U.S.C. 102(e) over Harris et al. (USP 6,331,972, hereinafter Harris). The applicants respectfully traverse this rejection.

Claims 19-21 are dependent upon claim 16. The Office action has not provided a basis for rejecting claim 16; as such, the rejection of claims 19-21 is improper.

MPEP 2131 states:

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The *identical invention* must be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Harris fails to teach presenting to a user an associated service field at a host in response to receiving identity information from an item at the host, as specifically claimed in claim 4, upon which claims 5-7 and 12 depend. In the interest of advancing prosecution of this application, the applicants note that claim 16, upon which claims 17-21 depend, includes a similar limitation.

As the Office action acknowledges, at column 12, line 62 to column 13, line 5, Harris teaches running an application on a first device that presents an interface to a user in response to receiving the application from a second device. Before this uploading, devices transmit their identification information, but neither application presents a service field to a user in response to receiving this identification information. Only if the second device uploads the aforementioned application will the first device run the application.

The applicants respectfully maintain that running an application in response to receiving the application is not identical to presenting a service field to a user in response to receiving identity information, and Harris fails to provide the details that are included in the applicants' claims. Accordingly, the applicants respectfully maintain that the rejection of claims 4-6, 12 under 35 U.S.C. 102(e) over Harris is unfounded, per MPEP 2131, and should be withdrawn.

Further, with regard to claim 6, the Office action fails to show where Harris teaches transmitting host-generated results related to the associated service field to the item, as specifically claimed in claim 6. Accordingly, the applicants respectfully maintain that the rejection of claim 6 under 35 U.S.C. 102(e) over Harris is unfounded, per MPEP 2131, and should be withdrawn.

The Office action rejects claims 7 and 17-18 under 35 U.S.C. 102(e), or in the alternative 35 U.S.C. 103(a), over Harris. The applicants respectfully traverse this rejection.

Claims 17-18 are dependent upon claim 16. The Office action has not provided a basis for rejecting claim 16; as such, the rejection of claims 17-18 is improper.

Claim 7 is dependent upon claim 4, and in this rejection, the Office action relies upon Harris for teaching the elements of claim 4. As noted above, Harris fails to teach or suggest the elements of claim 4. Accordingly, the applicants respectfully maintain that the rejection of claim 7 under 35 U.S.C. 102(e) or 103(a) is unfounded and should be withdrawn.

Further, the Office action acknowledges that Harris fails to teach that the application program is configured to produce an iconized representation of the item at the host; accordingly, the rejection of claim 7 under 35 U.S.C. 102(e) is unfounded, per MPEP 2131.

The Office action notes that "program interfaces on PDA's, cell phones, and computers can be represented by icons", and that such an icon would "provide a convenient and familiar way for the user to access the user interface program disclosed by Harris". The applicants concur with this statement, but note that it is irrelevant to the claimed elements. Claim 7 specifically claims providing an iconized representation of the item at the host, and does not claim providing an iconized representation of an application program at the host. Accordingly, the rejection of claim 7 under 35 U.S.C. 103(a) is also unfounded, per MPEP 2142, and should be withdrawn.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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